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# Congress of the United States

## Committee on Foreign Affairs

House of Representatives  
 Washington, D.C. 20515

January 25, 1983

JAN 25 1983

Honorable Gerry E. Studds  
 1501 Longworth House Office Building  
 U.S. House of Representatives  
 Washington, D.C. 20515

Dear Gerry:

Thank you for your further letter of December 20, 1982, concerning implementation of the Intelligence Authorization Act of 1981. I have tried to examine it carefully.

The letter raises, in your words, "procedural" questions as to "what matters 'require the attention' of the Committee on Foreign Affairs", and as to what is the process by which the Intelligence Committee is to "bring matters having an important foreign policy impact to the attention" of the Foreign Affairs Committee. You note also that "the decision whether or not to 'bring matters to the attention' of other Committees" rests with the Intelligence Committee.

Inasmuch as the Intelligence Committee has the responsibility for deciding what information should be brought to the attention of other Committees and for apprising the Committees, it seems to me that your questions about the procedures of notification are a matter which should be addressed to the Intelligence Committee.

In that connection, if you desire, I shall be happy to arrange a meeting between you, myself, and Eddie Boland, Chairman of the Select Committee on Intelligence, to discuss how the dilemma which you raise might be resolved.

With best wishes, I am

Sincerely yours,



Chairman

CJZ:lge

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**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

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COAST GUARD AND NAVIGATION

February 7, 1983

Dear Gerald:

The attached correspondence between myself and Clem Zablocki, Chairman of the Committee on Foreign Affairs, involves an important matter relating to the rights of our Committee to information concerning covert actions carried out by intelligence agencies of the United States.

With the consent of Chairman Zablocki, I am sharing this correspondence with you for the purpose of soliciting your views regarding the method by which an apparent institutional problem affecting both our Committee and the Intelligence Committee might best be resolved. I raised this matter briefly at the organizing meeting of the Democratic Caucus on February 1, but I believe it warrants the attention of all Members of the Committee.

The Intelligence Authorization Act of 1981 made several changes in the manner in which intelligence-related information would be shared with various Committees of the Congress. Although direct access to prior information concerning covert operations is limited to the Intelligence Committee, the law also requires each Intelligence Committee to "promptly call to the attention of its respective House, or to any other Committee or Committees of its respective House, any matter relating to intelligence activities requiring the attention of such House or Committee or Committees."

The Senate floor leader on the legislation, Mr. Huddleston, stated that the legislation "specifically recognizes the responsibility of the two Intelligence Committees to bring to the attention of any other Committee or of either House matters warranting their concern. For example, if the CIA were undertaking a major covert operation which would have significant effects on U.S. policy in a certain region of the world, I would view it to be incumbent upon the Senate Intelligence Committee to inform the Senate Foreign Relations Committee of the initiative."

Hon. Gerald Solomon -- Page 2

During debate on the House side, Chairman Zablocki stated that "my endorsement of the Conference Report in no way constitutes a relinquishment of the jurisdiction of the Committee on Foreign Affairs over intelligence activities relating to foreign policy."

The law, then, would appear to require the Intelligence Committee to "bring to the attention" of the Foreign Affairs Committee information concerning major covert operations having a significant impact on foreign policy. Nevertheless, according to Chairman Zablocki, "Since the Intelligence Authorization Act of 1981 was enacted, I do not know of any activity being brought to the attention of the Committee on Foreign Affairs as a 'matter requiring the attention' of the Committee."

The law clearly distinguishes between the right of the Intelligence Committees, and that of other Committees, for access to prior information concerning covert activities. This right does not, per se, extend to the Committee on Foreign Affairs. The Intelligence Committees do, however, have an obligation to bring matters having an important foreign policy impact to the attention of the Committee on Foreign Affairs in the House and the Committee on Foreign Relations in the Senate. Although the Intelligence Committees have the right to determine when such a matter has arisen, they do not have the right to ignore altogether their legal obligation to notify other Committees.

In my view, the Foreign Affairs Committee should review the law for the purpose of developing a clear understanding of the rights of the Committee. We should then take steps to develop an understanding with the Committee on Intelligence concerning implementation of the law. The rights and obligations of both Committees should be recognized and respected by such an agreement.

I would welcome, and I am sure Chairman Zablocki would appreciate, any thoughts which you might have regarding these issues. I want to emphasize that I am raising the matter solely because I think it is important to the Committee as an institution.

Hon. Gerald Solomon -- Page 3

I appreciate your consideration, and look forward to any comments you may have.

With kind regards.

Sincerely,

A handwritten signature in black ink, appearing to be "Gerry E. Studds". The signature is stylized with a large initial "G" and a series of loops and flourishes.

Gerry E. Studds

Hon. Gerald Solomon  
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ENCLOSURE

GERALD B. SOLOMON  
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CHAIRMAN,  
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ASSISTANT REGIONAL WHIP

**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

March 1, 1983

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Congressman Gerry Studds  
1501 Longworth H.O.B.  
Washington, D.C. 20515

Dear Gerry:

Thank you for your letter of February 7 regarding the rights of our Committee to information concerning covert actions carried out by intelligence agencies of the United States.

This matter appears to be one of statutory interpretation as to the extent to which the House Permanent Select Committee on Intelligence (HPSCI) shares the information made available to it in the course of exercising its covert action oversight functions. Note the "...any matter relating to intelligence activities requiring the attention of ..." language in subsection 501 (d), Congressional Oversight Statute, 50 U.S.C. 413. Whether or not any of the covert actions briefed to the HPSCI to date have "...require(d) the attention" of the House Foreign Affairs Committee (HFAC) is a matter to be decided by the Select Committee on Intelligence.

One of the driving forces behind the modification of the Hughes-Ryan Amendment --- which required CIA to brief eight Committees of the United States Congress regarding its covert actions --- was the desire to limit proliferation, and thus the potential for compromise, of sensitive intelligence information. Given the current statutory mandate to protect intelligence sources and methods from unauthorized disclosure, the U.S. intelligence community, at the highest level, would frown upon the "unnecessary" proliferation of sensitive intelligence information.

By virtue of the fact that H. Res. 658 establishing the HPSCI mandates the membership on the Committee by at least one HFAC Member (that number by agreement with Chairman Zablocki is now two), it appears that Congress recognized the need to provide an avenue whereby certain information might flow to other Committees. However, the Congress even more recently --- in modifying the Hughes-Ryan Amendment --- spoke on the issue of proliferation of covert action information, deciding that covert action information should be limited to the two Intelligence Oversight Committees. Whatever decision is reached between Chairmen Zablocki and Boland regarding this matter, we hope the process will be done in consultation with Members on the Committee and with the DCI consistent with the latter's statutory authority.

Sincerely,

ROBERT LAGOMARSINO  
Member of Congress

GERALD B. SOLOMON  
Member of Congress

GRS/GG

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